

# **EXHIBIT**

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**From:** [Scutero, Peter \(LAW\)](#)  
**To:** [Marquez, Lillian](#); [NYC Law Protest Team](#); [Zimmerman, Tobias \(Law\)](#); [Weng, Jenny \(Law\)](#); [Robinson, Amy \(LAW\)](#); [Hiraoka JR., Joseph \(LAW\)](#)  
**Cc:** [AG-NYPDLitigation](#); [Payne Litigation Team](#); [rolonlegalteam@aboushi.com](mailto:rolonlegalteam@aboushi.com); [Gray Legal Team-External](#)  
**Subject:** RE: [EXTERNAL] Administrative Guide provisions - Amendments to be produced  
**Date:** Friday, June 16, 2023 5:31:00 PM

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Counsel,

The composition and volume of Plaintiffs' Administrative Guide requests are confusing and, in a number of instances, indiscernible. As a result, our evaluation of them was time-consuming and took longer than anticipated.

We disagree with your characterization of the Court's directives with respect to production of the Guide. Plaintiffs were to request a "reasonable number" of Guide sections that were effective during the 2020 Protests. In contemplation of a reasonable number, the Court opined that there would only be 5 to 10 Guide sections that have any relevance to this case and described sections relating to arrests and discipline as examples. Plaintiffs' requests, however, are inconsistent with these directives as they seek 70 Guide sections, most of which are irrelevant, as well as information that goes beyond that which was contemplated by the Court and would require Defendants to duplicate work. As such, Defendants object on the grounds of reasonableness, relevance, vagueness, proportionality, and burden.

Subject to and without waiving any objections, Defendants have begun collecting Guide sections that are relevant to arrest and discipline procedures for the purpose of producing to Plaintiffs. We will notify you when those sections are ready for production. Further, we do not read your letter as a reasonable request for a meet and confer since it imposed two arbitrary deadlines and did not leave Defendants enough time to evaluate Plaintiffs' requests in order to have a meaningful discussion at a meet and confer. Any petition for Court involvement by Plaintiffs at this point would be premature given the defects in your requests and their inconsistencies with Court directives.

Peter Scutero  
New York City Law Department

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**From:** Marquez, Lillian <Lillian.Marquez@ag.ny.gov>  
**Sent:** Wednesday, June 7, 2023 7:34 AM  
**To:** NYC Law Protest Team <NYCLawProtestTeam@law.nyc.gov>; Zimmerman, Tobias (Law) <tzimmerm@law.nyc.gov>; Scutero, Peter (LAW) <PScutero@law.nyc.gov>; Weng, Jenny (Law) <jweng@law.nyc.gov>; Robinson, Amy (LAW) <arobinso@law.nyc.gov>; Hiraoka JR., Joseph (LAW) <jhiraoka@law.nyc.gov>  
**Cc:** AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; Payne Litigation Team <PayneLitigationTeam@nyclu.org>; rolonlegalteam@aboushi.com; Gray Legal Team-External <GrayLegalTeam@dwt.com>  
**Subject:** [EXTERNAL] Administrative Guide provisions - Amendments to be produced

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Good evening,

Please see the attached letter identifying the provisions of the Administrative Guide that Defendants are to produce as they existed at the time of the Protests, as directed by the Court. As stated therein, please provide your availability for a meet and confer this week if you do not agree to produce the material by the specified date.

Thank you,

**Lillian Marquez | Assistant Attorney General**

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Pronouns: She/Her/Hers

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